

STRIKERS ACCUSED OF CONTEMPT OF COURT

Four Men in Prescott Jail For Violating the Court's Injunction

Under-Sheriff Joe P. Gideon, and Deputy Sheriff Asa Harris, of Mohave county, brought four men from Kingman last night, who, it is alleged, are guilty of violating the strike injunction issued by Judge Sloan on April 3, sitting in the district court at Kingman.

The names of these men are W. L. Howrey, Royal Cartwright, L. E. Parlez, and Chas. Eaton, and the charge against them is contempt of court on a writ returnable before Judge Sloan this morning.

The injunction in question was issued upon the petition of the German American Mining Company, against which company a strike existed, the strikers being enjoined from all manners of disorder, posting pickets, placards, rioting, and interfering with any men employed by this company.

These four men, it is alleged, committed an assault upon the person of two of the men employed by the German-American Mining Company, striking and beating one of them, upon which his companion pulled a gun, and warned them to desist.

The arrest of six men was called for, but two managed to get away before the officers of the law could locate them.

Attorney F. W. Morrison, counsel for the German American Mining Company, accompanied the party in the interests of his clients, also having three witnesses with him, prepared to go on with the case, but as the alleged offenders have no witnesses, it will necessarily have to be postponed.

The four men were taken to the county jail, searched, and stored away with plenty of blankets behind the bars.

The German American Company operates in Mohave county, near Needles, and after the injunction was issued by District Judge Sloan, still experienced trouble. Non-union men who were being brought in by the German-American company, were met on the train by strikers on the California side, and were induced to return, in most cases the men being paid their fare by the strikers. As the injunction does not have application to California, the strikers had full swing and they have given the company considerable trouble. An assault upon the non-union men at Kingman was therefore in violation of the injunction, and consequently the offenders placed themselves in contempt of court.

(From Thursday's Daily.)
"The weakness of your case is that these defendants should tolerate such an act. They were cowardly trying to influence Hoskins to do that which they had not the courage to do themselves. When a crowd gathers around a man and lends support by its presence, that is what intimidates and terrorizes."

In these words Judge Sloan addressed himself to Attorney O'Sullivan at the conclusion of the evidence yesterday in the contempt case growing out of an alleged violation of an injunction issued by Judge Sloan at Kingman last April, by four strikers.

The defendants in question were: Chas. Eaton, J. E. Parlez, Royal Cartwright, and W. R. Howrey. The principal witnesses against them were two non-union men, D. M. Blevins and D. G. Putnam, who alleged that the strikers assaulted them on May 3.

On the evening of that day Blevins and Putnam went into Ray's saloon at Vivian to take a drink, and Blevins testified that Lee Hoskins a few minutes later came to where he was standing and called him a "scab," coupled with some vile names. Hoskins rubbed up against him again and renewed the abuse. Mrs. Ray, wife of the saloon owner, ordered them not to make any trouble on the place, and Hoskins invited witness to come out and fight. Witness said he was a peaceful man, and was not looking for any trouble. Hoskins was so loud and abusive that Proprietor Frank Ray ordered the entire crowd out of the saloon. All of the defendants, with the exception of Eaton, were in the place at the time of the disturbance, and were leaders of the crowd that later formed a semi-circle around witness and his companion in the middle of the road. Defendant Parlez struck him and Putnam then drew a gun. Soon Marion Moore, the walking delegate of the Miners' Union,

came running up with a pistol in his hand.

Putnam corroborated the preceding witness, and added that defendant Courtwright and Parlez were on each side and to the front of Blevins, and intimidating him. Howrey was sneaking around at the time to get in the rear of witness. He did not see Dan Eaton in the crowd.

For the defense Eaton was briefly examined, and as there had been no evidence to implicate him in the offense, Judge Sloan ordered his dismissal.

W. R. Howrey testified that he was only a spectator, and made himself scarce when the gun play started. He was in the saloon, heard the abusive language, but did not mingle with the crowd when it emerged into the street and collected around the complaining witnesses.

Royal Courtwright, the next witness, and one of the accused, was dancing a jig when the two non-union men entered the saloon. He was asked by Hoskins with others to have a drink, and, of course, according to the bar-room etiquette of Vivian, he promptly accepted. While at the bar, Hoskins inquired who the two men at the end of the bar were, referring to Blevins and witness replied, "They're a couple of scab boys." Then Hoskins broke loose, and commenced his tirade of abuse against the two men. Courtwright claimed that he was not in the crowd, viewing the scene from the porch of a saloon, but that he saw Moore following Putnam.

Defendant Parlez testified substantially the same, and added that after the saloon had been cleared that Howrey, Courtwright and himself separated from the crowd, and went away. Witness was closely catechized by the court, taking witness to task on several points of his testimony.

This closed the testimony, and Attorney Fred W. Morrison, who appeared for the German-American Mining Company, which had secured the writ of injunction against the strikers, asserted that it seemed to have been clearly proven that the three defendants

STRIKERS SENTENCED.

(From Saturday's Daily.)

For violating the injunction issued last month by Judge Sloan, John Parlez was fined yesterday \$30, and R. Courtwright \$50, with the alternative of 15 and 25 days respectively, in the county jail.

The delinquents were two of the four who were arrested, as reported in the Journal-Miner of yesterday, at Kingman, for using threats against non-union miners; the other two defendants, Charles Eaton and W. R. Howrey, having been discharged from the custody of the sheriff, after a severe lecture from the judge that the violation of an injunction was a very serious offense, and that a subsequent appearance on a similar charge would not be dealt with in so lenient a manner.

Parlez and Courtwright having been found guilty, as charged, were sentenced as above stated, and in lieu of paying the fine were taken to Kingman, where they will serve the time allotted.

MINING LAW.

(From Friday's Daily.)

Where a locator has taken a placer claim adjoining a senior placer claim, located prior to July 9, 1870, the boundaries of which did not conform to the government survey (which under the law was not essential), the law provides that "where placer claims cannot be conformed to legal subdivisions, survey and plat shall be made as unsurveyed lands." Sec. 10, Act of 1870, amended by mining act of 1872. The fractional claim lying between the old claim of 1870, and the land survey line in the vicinity, which constituted a fractional claim (less than twenty acres) may be located as such fractional claim, having the land survey lines, and the lines of the prior claim as boundaries. This fraction is subject to the requirements of the law the same as full claims.

The Journal-Miner is the popular paper.

Breezy News from Walker District

WALKER, May 19—Robt. B. Peck spent a few days in Prescott this week.

Wm. Marrs was a Prescott visitor for a couple of days.

Mr. A. S. Earnhart and sister, Mrs. A. H. Mitchell are visiting in the county seat.

Jas. M. Sloane returned from Prescott Thursday evening with a fine new stage and team. He will run from Walker to Prescott each day, leaving here in the morning, and returning the same evening. This is a much needed business, since the boom struck our camp.

J. Estes, the clothing man, has been canvassing Walker this week.

W. P. McLeod, our ranger, went to Prescott Thursday afternoon with F. R. Stewart, forest supervisor. Jersey's black horse stepped on a nail, and being a humane master he is going to use a broncho for a few days, and let "Little Willie" rest.

The Pine Mountain Company are ready to begin operations as soon as they can obtain fuel. The pack trains are all busy, and Mr. Yeomans is over in the neighborhood of Kirkland trying to rustle more burros.

Dr. Lewis, accompanied by Messrs. Burger, of Val Verde, and Miner, bookkeeper for the M. M. Co., and Mason, another prominent mining man, paid our camp a visit Thursday of this week. They were looking over the old Mudhole property, which was sold recently to the Metals Milling Company. It will seem like "the good old times" when they start up with two hundred men.

Crump and Trotter are usually pleasant people. But since their late find their smiles are broader than ever. The last gold nugget found on the placer property owned by them weighs one ounce, and is a beauty.

Dr. Rolph, the company physician, is located at Poland, and makes semi-weekly visits to our camp. His days here are Monday and Thursday of each week.

Stukey Bros. received a car load of hay Thursday. The freight teams and pack trains will soon make short work of it.

ARIZONA WEEK.

(From Friday's Daily.)

Governor Kibbey has been informed by the management of the Portland Exposition of the dates set aside as special days at the fair for Arizona cities.

The week for the Arizona cities will begin on Monday, August 28, and end on Saturday, September 2. The week will be filled as follows:

August 28, Phoenix, Mesa, Tempe, and Yuma; August 29, Prescott, Jerome, Flagstaff, and Winslow; August 30, Bisbee, Benson, Douglas, Nogales, and Tombstone; August 31, Globe, Pima, Solomonville, Thatcher and Bowie; September 1, Morenci and Clifton; September 2, Tucson.

Regarding the character of the ceremonies, the following suggestion has been made by the management of the exposition:

"The exercises for the day should be brief and simple. We propose with your co-operation to have the delegates from Arizona meet at one of the state buildings (which courtesy will be accorded) shortly before noon. A member of your commission could act as chairman for the day, and one of the commission, in whose building your delegates meet would extend greetings on behalf of the exposition management. Then the mayors or other representatives could respond, and such special features as they might have arranged could follow. The exposition management would provide the administration band for the occasion."

FORMER CITIZEN DEAD.

Word has been received that A. D. McDougall was killed Tuesday by being blown up in a tunnel at Santa Barbara.

McDougall was a well-known miner in these parts, having been engaged in drilling contests here some years ago, and being an expert in that line. He was well liked and popular. The particulars of his death have not been received as yet. He was a member of the Prescott Lodge of Elks, and that body is arranging for the funeral.

APPLIES FOR LETTERS.

In the Probate Court yesterday, J. W. Robins filed a petition before Judge Hicks, applying for letters of administration for the estate of Addie L. Robins. The petition will be heard on the 29th of May.

Charles Morgan Is Cleared by a Jury

Charles Morgan, accused of shooting Deputy Sheriff Hartsfield at McCabe, was acquitted yesterday evening in the district court.

At 6 o'clock the jury signified its readiness to bring in a verdict, and Judge Sloan was summoned. When the court was convened at 6:30 o'clock the jury filed in, and presented the verdict.

The course of the trial was marked by an entire absence of anything sensational. The direct and cross-examination of all witnesses being very short.

Mark Boston was the most damaging witness to the defense, testifying that he held Morgan to prevent him from firing the third shot. It seems that Morgan fired two shots at Hartsfield, the first shot taking effect, the second shot going wide. Hartsfield, in return, fired one shot at Morgan, missing his assailant. Morgan was then disarmed, and hostilities ceased.

The attorneys for the defendant entered a plea of self-defense, and he was acquitted on these grounds.

The prosecution rested its case without argument, which proposition was agreed to by the defense, the case going into the hands of the jury immediately after direct and cross-examination. However, the jury required three hours to reach an agreement.

Battre Pulled a Recalcitrant Gun

The case of Charles Battre, charged with felonious assault on the person of T. C. Archer, came to trial in the district court yesterday afternoon at 3:30 before Judge Sloan.

A jury was secured within thirty minutes, the court then taking a recess until 9:30 this morning.

The attorneys for the defense are Le Roy Anderson, and A. L. Hammond, the prosecution being conducted by District Attorney Ellinwood.

The story of the alleged assault, which was committed in or near the Prescott hotel of this city, is as follows:

It appears that Battre and Archer had a contract for the unwatering of the Storm Cloud mine, which, owing to various reasons, was not completed on time, and hence there was some difficulty about the collecting of the money due them.

This fact led to trouble and quarrels between Battre and Archer, which culminated in an altercation at or near the Prescott hotel, during which altercation, it is alleged, Battre drew a revolver on Archer, and pulled the trigger twice, the gun missing fire both times. Bystanders then interfered, and the trouble was allowed to go no further. Battre was arrested, indicted by the grand jury, and released on bail awaiting trial.

WANTS CARPENTERS.

C. E. Mills, general superintendent of the Detroit Copper Company, at Morenci, has been in Prescott since Wednesday, on mining business, and incidentally is seeking to engage good mill carpenters. He finds this class of mechanics rather scarce just now, the supply being far short of the demand.

Mr. Mills said that he is very well satisfied with conditions at Morenci, and that the mining outlook is good and will be better. The Detroit Copper Company's concentrator will be increased from a 700-ton daily capacity to a 1,200-ton capacity. It is being worked up to the limit at the present time, this increase in capacity being merely in the natural order of events.

Petition for Distribution.

Homer Wood filed a petition yesterday before Judge Hicks of the Probate Court, in the matter of the final accounting of the estate of James Newton McCandless. He petitions for an order for distribution of the estate. The settlement will be made on May 30.

NEW STAGE LINE.

Additional facilities for travel between Prescott and the thriving mining village of Walker were established yesterday when Jas. M. Sloan ran his first stage out of Prescott headed for Walker. It is the intention to run one stage each day from either end of the route, leaving Walker at seven in the morning, and departing from Prescott at two o'clock in the afternoon. The office of the new line has been located at Shumate's candy store.

KODOL DYSPEPSIA CURE

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The \$1.00 bottle contains 2 1/4 times the trial size, which sells for 50 cents.

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Verdict Follows a Bounteous Dinner

At 3 o'clock yesterday afternoon the jury in the Storm case was given final instruction by the court, and retired in charge of a deputy sheriff, the twelve men having, as a finish to a siege of five days, listened to the masterly address of Prosecuting Attorney Ellinwood, lasting nearly two hours. The argument of the chief of the prosecution was from start to finish a clear, impressive plea, based upon the evidence produced against the defendant, and to the minds of many friends and admirers of Attorney Ellinwood it was an effort more forceful than he ordinarily displays. Briefly and with much care the prosecutor outlined the several important points which made up his argument, and then without data or memoranda took them up one by one, explaining to the jury their full import and bearing upon the case.

He was in excellent form, with a good, strong, clear voice, and managed the entire two hours' address in a manner to hold the undivided attention of the audience which crowded the courtroom. His plea throughout was logical and concise, based strictly upon the evidence adduced at the hearing, and made a marked impression on all who heard it.

At the opening of the court yesterday morning Attorney O'Sullivan for the defense, made his argument. During the one hour consumed by him, he took up point by point, the strong defense which he and his colleagues had reared about their client, and with much care and in a most impressive manner developed the full strength of his defense. His address throughout was listened to with marked attention.

Attorney J. C. Herndon, for the defense, followed with a strong plea for his client. Each strong feature of the evidence for the defendant was made plain, and speaking from the notes he had made during the hearing he built up an excellent barrier against conviction.

A few moments later the members of the jury were charged by an officer. Later they were escorted to their evening meal, and again taken to the jury room. At midnight they were still out, and inquiry developed the conclusion that there would be little likelihood of a verdict before daylight.

ants had violated the injunction. He asked that the punishment to be meted out be imprisonment instead of a fine, as the latter would be paid.

Attorney O'Sullivan, of Ross & O'Sullivan, representing the strikers, contended that the evidence produced was not of such a character as to convict his clients of contempt of court.

It was at this juncture that the court delivered the remarks quoted above, and added:

There are many things that strongly corroborates the statements of these two men. If this case hinged entirely upon the act of striking, of which Parlez is charged, I would give him the benefit of the doubt. It is not the active man in such cases as these that is the culprit, but those men who covertly aid and assist. Courtwright had no business to tell Hoskins that these men were scabs, or to advise him 'to fight it out' after the trouble commenced."

"I admit that he was very foolish to make that statement," apologized O'Sullivan.

"That is a very mild way to express it," replied the court with an amused expression.

Inquiry was made by the court as to Moore and Hoskins, and the information was elicited that they had fled the country, together with the secretary of the Vivian union.

"I am sorry that Hoskins and Moore cannot be had, especially Moore, because of his position as walking delegate."

Mr. Morrison announced that he would ask for a bench warrant for the absentees.

Judge Sloan will give his decision this morning at 10 o'clock as to whether the three defendants are guilty of contempt of court.

James P. Storm is again a free man. Twice tried for embezzlement of the county funds, he was acquitted by a jury of twelve of his peers.

The verdict was returned at 1:30 o'clock, and read: "We, the jury, find the defendant not guilty."

Storm's face lighted up with excitement and pleasure and yet he was not unduly emotional, and his gratification was confined to shaking the hands of his counsel, and inviting the jury out for liquid refreshments.

When asked how he felt, Storm replied: "Why, tickled to death, of course, how could I feel otherwise? But then, knowing that I am innocent, I felt sure that I would be acquitted."

The jury was out just about twenty-four hours, and from the very first ballot a majority stood for acquittal, the initial vote being 7 to 5.

Just before the dinner hour the fifth ballot stood 11 to 1 for acquittal, and after the meal the twelfth man was in an amiable and receptive frame of mind.

Storm's second trial did not excite as much attention as the first. Nevertheless, when it was announced that the jury were ready with their verdict, the courtroom was crowded, and the scene was one of eager anticipation. Later in the day Storm could be noticed in the courtroom as an interested spectator of the trial of Chas. Morgan.

"Yank" Bartlett Killed In An Accident.

A special from Oro Blanco, says: John Bartlett, better known as "Yank," was killed there yesterday in a runaway accident. "Yank" was celebrated in connection with General Crook's Indian wars in Oregon and Arizona.

The death of this man will recall him to many people in Prescott. Oscar O'Neill, now a resident of this city, was one of the chief packers during this campaign, and when not in the field, Whipple barracks was the does not strike your eyes.

"Yank" Bartlett was one of the owners of what was known as "Hank" and "Yank's" train, which gave such efficient service during the Crook campaign against the Indians.

Lieutenant Ross, then field quartermaster, leased the entire train, consisting of some 200 or 300 mules, at a rental of \$1.25 per day for each mule, and the accompanying equipment. As they were employed by the government under this lease for several months the "Hank and Yank" combination became quite wealthy.

NEGOTIATIONS ON EXCLUSION TREATY ABANDONED.

WASHINGTON, May 19—All hope of success of the pending negotiations on the new Chinese exclusion treaty are for the present abandoned by the Chinese officials. The result occasioned a wave of resentment that swept over China since it became known that it was planned to transfer the negotiations to Peking, and that the Department of Commerce and Labor insisted upon its own interpretation of the exclusion law.

Reports have reached the Chinese Legation, that the extent of this feeling throughout the Chinese empire and the hostility of the Chinese commercial guilds to American goods which might result, it is asserted, may lead to a general boycott on American goods, even were it possible to conclude the exclusion treaty now.

LIEU LAND SELECTIONS.

Latest Order from the Commissioner of the General Land Office.

WASHINGTON, May 19—The commissioner of the general land office has issued instructions for the enforcement of the act of Congress of March 3, last, prohibiting the further exchange of patented lands in forestry reservations for public lands outside of such reservations.

He says that under the law protecting the contracts already entered into an exception will be made in the interest of certain lands in San Francisco mountain and Grand Canyon reserves in Arizona and the Santa Barbara reserve in California.

He adds that "all selections under the acts of June 4, 1897, and June, 1900, made prior to and pending for adjudication on March 3, 1905, may be perfected and patented as though the last named act had not been passed; and if in the adjudication of any selection then pending that action should be held invalid for any reason not the fault of the party making same, another selection for a like quantity of land may be made in lieu thereof."

When love is unsatisfied, success is to the heart what the garland is to the tomb.

The insolence of youth meets its punishment in the desertion of old age.

God and nature are joint partners, and they never go out of business, neither do they allow a debt to run.

A clear conscience is the bank account that no one can draw upon but ourselves.

A husband is a man before and after he is a husband.

The parasite is the man who always dines out. He feeds on foreign substance, because his own kind are out doing the same thing.